S.B. CIVIL WRIT PETITION NO.5025/2004
(M/s Hari Industries vs. State of Rajasthan & Anr.)

Date :: 07.05.2007

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr.Sanjeev Johari, for the petitioner.
Mr.Sangeet Lodha, for the respondents.

It is submitted by learned counsel for the parties that the controversy involved in this writ petition has already been decided by this Court in S.B. Civil Writ Petition No.2245/2004 on 20th November, 2006 which reads as follows:-

> "The present writ petition has been filed against an order of assessment of tax. An order of assessment is appealable. It is not liable to be interfered in appeal. The argument of the learned counsel that other persons have been kept out of the province of the amended provisions is not factually made out hence not considered. The petition is meritless hence dismissed. If an appeal is filed the question of limitation will not come in the way of the petitioner."

Accordingly, the instant writ petition is dismissed in terms of the aforesaid order.

{GOPAL KRISHAN VYAS}, J.

A.K. Chouhan/-